CONTRA COSTA COUNTY LIBRARY COMMISSION
AGENDA ATTACHMENT 4

MEETING DATE: Thursday, July 28, 2016
AGENDA ITEM #: 11C
ITEM: AD HOC COMMITTEE UPDATE – COMMISSION ORGANIZATION

RECOMMENDED ACTION:

No action recommended.
CONTRA COSTA COUNTY LIBRARY COMMISSION  
AD-HOC REVITALIZATION COMMITTEE REPORT  
July 28, 2016 DRAFT 1.2

INTRODUCTION
In 2012, the Contra Costa County Board of Supervisors (Board) instituted a triennial review process of all county boards and commissions. The review for the Contra Costa County Library Commission (Commission) was delayed from 2014 as the county librarian was new to that position.

A report was written in Q4 2015 (approximately November as the report is undated). It was provided to the Commission at its March 24, 2016 meeting. It was then discussed at the County Internal operations Committee (IOC) at its March 28, 2016 meeting.

In response to the Triennial Report (Report), the Commission established an ad-hoc Revitalization Committee. The Committee has met twice on June 9 and June 30 2016. The Committee members include: Alan B. Smith Chair (District IV), Kathy Gilcrest (San Ramon), Laura Canciamilla (Pittsburg), Mary Ann Hoisinton (Lafayette), Kathrine Brackin (Pleasant Hill), Brian Miller (Hercules), and Peter Wilson (District IV Alternate).

This report provides background of the Commission, results of the Committee’s deliberations including changes to the standard agenda and bylaws; as well as some suggested bylaw changes the Committee did not have time to discuss. Note: Bylaw changes must be approved by a two thirds vote of the Commission, with the concurrence of the Board. The Commission can discuss revisions at this meeting. However, the Commission must wait at least one meeting before approving them.

EXECUTIVE SUMMARY of RECOMMENDED CHANGES
This report focuses on the following recommendations:

Agendas:
• Eliminate Commission Bookshelf
• “Items from the public” should be “Public Comment”.
• Show on the agenda if an item is for “Action”, “Discussion” etc.

Bylaws:
• Commission to be reinstated
• Revise membership
• Continue six meetings per year.
• Retain alternates
• Technical revisions
• Add new purpose about supporting library staff and services.
• Streamline minutes.
“REINSTATEMENT”
The Commission’s term was set to expire June 30, 2016. At the March 28 IOC meeting, library staff was requested to prepare a Board Order extending the Commission to December 31, 2016 pending the Commission's work on revising its bylaws etc. The full Board approved the extension in May. The Contra Costa Mayors Conference concurred at its June 2 meeting. The IOC is scheduled to hear a report from library staff at its September 26 meeting.

COMMISSION BACKGROUND
The Commission was established in March 1991 for a two year period. It has been “reinstated” (reauthorized) continuously since then. Originally, it contained 28 positions:

- One for each of the 18 cities including Richmond,
- One for each Board of Supervisor,
- Special representatives from the Friends Council, Central Labor Council, County Superintendent of Schools, Contra Costa Council, and the Countywide Youth Commission.
- Oakley was added after its July 1, 1999 incorporation, thus bringing the total positions to its present 29.
- The Countywide Youth Commission was sunsetted in 2010 and was replaced in 2012 by the Contra Costa Community College District.
- The Contra Costa Council changed its name to the East Bay Leadership Council.

RECOMMENDED CHANGES

Agenda Revisions
The following are the three agenda revisions the Committee recommends. They can be approved immediately by the Commission.

- **Eliminate “The Commission Bookshelf”.** This item has been on the agenda for at least 19 years. It was intended as an “ice breaker” for any commissioners who were shy about talking; as well as using time until a quorum was reached. Due to present meeting rules, it has out lived its purpose.

- **“Items From the Public” should be renamed “Public Comment”**. This is the term used by most other agencies (e.g. cities and the Board of Supervisors). By showing public comment, the public will more clearly understand their input is welcomed.

- **Mark all agenda items as “Action”, Discussion” etc. on the agenda.** Presently the word “action” is only shown on the green pages between the attachments. Not everyone knows to look there, and the green page can be hard to read on-line. With this change, both commissioners and the public will know which items are for action.
Responses to Report (Bylaws)
The Report made several recommendations as follows:

1. **Sunset the Commission**
   The Commission voted at its January 29, 2016 meeting that it wanted to continue in existence. The IOC at its March 28 meeting did not concur with sunsetting the Commission and instructed library staff to proceed with a reinstatement board order as outlined above.

2. **Bylaw Changes**
   The Report states that library staff did not recommend any changes to the bylaws. However, both IOC and the Committee did not agree. Thus, bylaw revision recommendations follow.

3. **Membership Reduction**
   Both IOC and library staff recommended reducing membership. Thus, a letter was written by the Interim County Librarian and the Commission Chair and signed by the Chair. The letters were sent to the Special Representatives and the mayor of Richmond. They were mailed the week of June 20. They were asked if they wanted to 1) retain a voting membership, 2) be an ex-officio member without voting rights, or 3) no membership. The results are:

<table>
<thead>
<tr>
<th>Entity</th>
<th>Regular Membership</th>
<th>Ex-officio Membership</th>
<th>No Membership</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Richmond</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>College District</td>
<td>?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>East Bay Leadership Council</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Friends Council</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>County Supt. Of Schools</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Central Labor Council</td>
<td></td>
<td>X</td>
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</tr>
</tbody>
</table>

This will bring membership to 2X. As a result the number of commissioners needed for a quorum will be 1X

Allocation of votes of the Special Representatives will be completed once the college district decides on its membership status.

4. **Number of Meetings per Year**
   The present bylaws state the Commission is to meet at least quarterly. The Committee recommends the number be retained at six. The Committee believes with a proper focus, there is adequate work for the Commission to continue as is.
5. Alternate Commissioners
The Report stated that on average 35-40 Commissioners are at each meeting. The following shows the number of Commissioners attending the past nine meetings averages 27 including alternates.

<table>
<thead>
<tr>
<th>Meeting Date</th>
<th># Vacant</th>
<th># Alternates</th>
<th># Reg. Comm. Present</th>
<th># Alt. Present</th>
<th># Total Comm.</th>
</tr>
</thead>
<tbody>
<tr>
<td>11/14</td>
<td>4</td>
<td>13</td>
<td>24</td>
<td>7</td>
<td>31</td>
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<td>3</td>
<td>13</td>
<td>21</td>
<td>9</td>
<td>30</td>
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<td>3/15</td>
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<td>13</td>
<td>19</td>
<td>7</td>
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<td>5/15</td>
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<td>14</td>
<td>19</td>
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<td>3</td>
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<td>8</td>
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<td>9/15</td>
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<td>16</td>
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<td>11/15</td>
<td>3</td>
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<td>7</td>
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<td>1/16</td>
<td>5</td>
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<td>22</td>
<td>8</td>
<td>30</td>
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<tr>
<td>3/16</td>
<td>5</td>
<td>12</td>
<td>15</td>
<td>5</td>
<td>20</td>
</tr>
</tbody>
</table>

Source: Commission attendance roster from the minutes.

Observations:
- At no point has the number attending been as high as shown in the Report.
- About half of the positions have alternates.
- About half of the alternates usually attend.

The Committee voted to continue the practice of having alternate’s. It observed that some alternates are as active, as or more active than the regular commissioner. Also, by having alternates attend meetings; the alternate is in a position to assume the regular position when required. It was noted, however, that given the smaller meeting room in the new location, alternates may need to sit in the audience.

Technical Revisions

1. Combine Duties
- The Committee agreed that some duties could logically be combined as they were related. Thus, B) “Hold hearings” and K) “provide community input; along with E) “Develop policies” and J) “Vote on polices” were combined.

Agenda Packets
- Present bylaws state that Commission packets are to be mailed. This will change to: “Commission packets will be provided electronically unless otherwise requested”.


Bylaw and Other Proposed Revisions not discussed with the Committee.

Midyear Elections
- Upon resignation or non-reappointment of the Chair, the Vice Chair becomes the Chair (Section IX). This section, however, does not provide for midyear elections if both the Chair and Vice Chair are no longer on the Commission; or if the Vice Chair does not want to be Chair. Thus IXF is proposed:

  “In the event the Chair and Vice Chair resign or are not reappointed, the Vice Chair becomes the Chair. If the Vice Chair does not accept the position as Chair, a midyear election for Chair is to be held at the next regular Commission meeting. If the Vice Chair accepts being Chair, then at the next regular meeting of the Commission, an election is to be held for Vice Chair. Such terms run until the regular November election”

- **Issue:** Can officers elected in mid year succeed themselves for one or two terms?

Commission Purpose
- The Report states: “The Library Commission…provides community level support and advocacy for Library services.” It is, thus, proposed that this become “**Purpose F**”.

Streamline Minutes
- The minutes will become shorter with the elimination of the Commission Bookshelf.
- Presently each time a commissioner is named in the minutes, the entity they represent is repeated. Since their entity represented is shown in the roster section. It is proposed the entity does not need to be repeated throughout the minutes.
- Minutes can use bullet points as much as possible.

Commissioner Communications with Staff
- It is recognized staff time is limited. So as to help staff be as efficient as possible, communications for information should be routed through the Chair or a committee chair to the county librarian or designated staff.

Commission Work Plan and Annual Report
- This document should be aligned with the Commission’s Purposes and Duties.
Reinstatement

- At the end of each term for the Commission, when its term is extended, it is said to be “Reinstated”. The word “Reinstatement” sounds as though the Commission term had lapsed. It is thus proposed the word be changed to “Reauthorization”.

CONCLUSION
The Contra Costa County Library Commission is the only entity in the county whose sole purpose is to advise, advocate and support the County Librarian and the Board of Supervisors to provide library services.

Adoption of the above revisions will facilitate a strong Commission and improve its ability to fulfill its Purposes and Duties.

NEVER TAKE YOUR LIBRARY FOR GRANTED
(anonymous)

Report prepared by Alan B. Smith
CONTRA COSTA COUNTY LIBRARY COMMISSION

BY-LAWS

SEPTEMBER 1991
AMENDED SEPTEMBER 1992
AMENDED JANUARY 1999
AMENDED JANUARY 2012
BY-LAWS OF THE
CONTRA COSTA COUNTY LIBRARY COMMISSION
As Amended January 2012

I: NAME

The name of the commission is the Contra Costa County Library Commission ("the Commission").

II: AUTHORITY

The Commission is organized and exists as an advisory board to the Board of Supervisors of Contra Costa County (the "Board") and the County Librarian pursuant to an Order of the Board dated March 12, 1991.

III: PURPOSE

The Commission is created for the following purposes:

A. To serve in an advisory capacity to the Board of Supervisors and the County Librarian.

B. To provide a link between the community and the County Library.

C. To provide a forum for the public to express its views regarding the goals and operations of the County Library.

D. To assist the Board of Supervisors and the County Librarian in providing library services based on assessed public need.

E. To make recommendations to the Board and the County Librarian for the betterment of the County Library, including, but not limited to, ways to ensure stable and adequate funding for libraries in the County.

IV: DUTIES

The Commission shall perform the following advisory functions:

A. Participate in short and long range planning activities for libraries.

B. Hold hearings that permit the public to express its views on matters related to the County Library.

C. Monitor progress made in achieving goals set forth in plans adopted by the Board. Report and make recommendations to the Board and the County Librarian in this regard.
D. If the Commission has concerns or questions regarding the library budget, the Commission may make recommendations to the Board and County Librarian.

E. Assist in the development of policies that the Commission and the County Librarian determine will improve the operations of, and services available through, the County Library.

F. Advocate and recommend the levels of funding necessary to provide each level of service proposed by the Commission, the Board, or the County Librarian, as the case may be. Explore alternative methods of establishing stable and adequate funding for each level. Report the Commission’s findings, along with any related recommendations, to the Board of Supervisors and the County Librarian.

G. Perform other tasks and assignments that are referred to the Commission by the Board or County Librarian.

H. Submit reports to the Board and County Librarian when the Commission deems such reports to be timely and appropriate.

I. Oversee the actions of standing and ad hoc committees of the Commission.

J. Discuss and vote on major policy issues.

K. Provide community input for the County Library.

Note: The Library Commission is specifically prohibited from undertaking any inquiry or investigation into the (i) personnel policies and practices, and (ii) day-to-day administrative operations of the County Library.

V. MEMBERSHIP

A. All Board of Supervisors’ district nominees are approved by the Board. Other representatives are appointed and approved by their community’s local government body.

B. The Commission consists of up to twenty-nine members. The members who are appointed by the Superintendent of Schools, the Contra Costa Central Labor Council, the Contra Costa Council, the Friends Council, or the Contra Costa Community College District are the “Special Representatives.” All appointments are to be made as follows:

i. One member nominated by each of the five (5) members of the Board.

ii. One member appointed by each of the nineteen (19) cities in the County of Contra Costa.1

1. The nineteen (19) cities are: Antioch, Brentwood, Clayton, Concord, Danville, El Cerrito, Hercules, Lafayette, Martinez, Moraga, Oakley, Orinda, Pinole, Pittsburg, Pleasant Hill, Richmond, San Pablo, San Ramon, and Walnut Creek.
iii. One member appointed by the Superintendent of Schools
iv. One member appointed by the Contra Costa Central Labor Council
v. One member appointed by the Contra Costa Council
vi. One member appointed by the Friends Council
vii. One member appointed by the Contra Costa Community College District.

C. Nominations made by a member of the Board must be of someone other than a member of the Board.

D. Appointments made by a City/Town Council must be of someone other than a member of that city’s/town’s City/Town Council.

E. The appointment made by the Contra Costa Community College District must be of someone other than a member of the district’s board.

F. When a vacancy occurs, the Board member or entity represented by the vacant seat may appoint a replacement representative.

G. Each board member or entity eligible to nominate/appointment a member to the Commission may also nominate/appointment an alternate to attend meetings in the absence of the regular member. The Secretary must be given notice prior to a meeting that the alternate will be attending the meeting. Commission alternates may attend meetings; however Commission alternates only vote in the absence of the regular member.

VI. DURATION AND TERM

A. The Commission terminates on June 30, 2016, unless extended by the Board with the approval of the Mayors' Conference (any such extension is called, a “Reinstatement.”)

B. The standard term of each member’s appointment is two years. An appointment made to fill a vacancy will be for the term remaining for the vacated seat.

VII. ATTENDANCE REQUIREMENTS

A. Regular attendance at meetings of the Commission is required. An unexcused absence from three regularly scheduled consecutive meetings will be considered grounds for the Commission to recommend to the Board that the absentee member’s appointment be rescinded by the Board. Excused absences will be granted for the following reasons: illness of self, member of immediate family, or close friend; death of member of immediate family or close friend; requirements of the member’s job or elected/appointed position; vacation. A member must contact the Secretary prior to the meeting to be excused from a meeting.

B. The Chair will notify any member at risk of having his or her appointment rescinded before
recommending rescission to the Board.

C. Rescission of an appointment to the Commission may only be effected by an action of the Board or appointing entity.

VIII. OPEN MEETINGS AND CONFLICT OF INTEREST

The Commission meetings shall be conducted open to the public in accordance with the Ralph M. Brown Act, (Gov. Code 54950 et seq.) and the Contra Costa County Better Government Ordinance. Commission members shall adhere to the principles and rules of the Political Reform Act of 1974 (Gov. Code 81000 et seq.).

IX. OFFICERS

A. The Commission shall elect its own Chair and Vice-Chair. The County Librarian will be the Secretary.

B. The Chair shall (1) preside at all business meetings, (2) set the agenda and review minutes for all meetings in consultation with the Secretary, (3) have general supervision over all Commission business, and (4) have such other powers and duties as may be assigned to him/her by the Commission.

C. The Vice-Chair shall, in the absence or inability of the Chair to act, exercise all the powers and perform all the duties of the Chair. He/she shall also have such other powers and shall perform such other duties as may be assigned to him/her by the Commission.

D. The Secretary will keep the minutes of the meetings of the Commission. In consultation with the Chair, he/she shall prepare all agendas. He/she shall distribute all agendas, act as custodian of the Commission's records, keep a register of the contact information of each member, which will be furnished to the Secretary by each member and, in general, perform all duties incident to the office of Secretary.

E. The Chair and Vice-Chair shall be elected annually at the regular November meeting for a term of one year and may succeed themselves for one additional consecutive term. Majority votes of both city/town and County members present constituting a quorum are required to elect officers to the Commission.

X. MEETINGS

A. The regular meetings of this Commission shall be held at least quarterly at 7:00 p.m. at the Contra Costa County Library Headquarters, 1750 Oak Park Blvd., Pleasant Hill, or other designated location. Ninety-six hours’ notice must be given for all regular meetings.

B. A special meeting may be called at any time by the Chair or by a majority of the
Commission.

C. A quorum for all meetings shall be one more than half of the total authorized seats of the Commission.

D. A copy of the agenda and minutes of each meeting shall be mailed to each member, the Board of Supervisors, and any additional persons as authorized by the Commission. Other persons requesting the minutes of a meeting must do so in writing to the Secretary and pay the prevailing copying and mailing rates.

XI. VOTING

A. At the first regular meeting that follows a Reinstatement, the five Special Representatives will be associated with the city/town representatives for voting purposes and the two Special Representatives will be associated with the County representatives for voting purposes shall be determined by drawing lots.

B. The work of the Commission shall proceed by consensus whenever there is no objection from a member to proceeding in this manner. On any matter where any member requests a recorded vote on a matter, approval of the matter shall require a majority vote by the city/town representatives and the Special Representatives associated with them. (For example, on a 29 member Commission with all members present, approval of an item would require at least 12 "aye" votes from the 22 city/town representatives and four "aye" votes from the 7 County representatives.)

C. Proxy voting is not permitted.

XII. CONDUCT OF BUSINESS

A. No business shall be transacted at any meeting of the Commission other than on those matters named in the publicly posted agenda.

B. All meetings of the Commission shall be called to order by the Chair, or in the Chair's absence, by the Vice-Chair, or in the Vice-Chair's absence, by a Commission member designated for that purpose by the Chair or Vice-Chair.

C. Public comment at all meetings shall be as provided for under applicable law.

XIII. COMMITTEES

A. The Commission shall appoint committees of two or more members for such specific purposes as appropriate for the conduct of the business of the Commission. Committees may either be standing or ad hoc.
B. All committees shall make progress reports to the Commission at each of the Commission’s regular meetings.

C. All committees are encouraged to contain a mix of County, city/town, and special members.

D. All committee meetings shall be conducted under the same policies governing meetings of the Commission.

XIV. AMENDMENTS TO THE BY-LAWS

A. These By-Laws may be amended by two-thirds vote of both city/town and County members of the Commission on advance written notice. All amendments that alter the provisions of the March 7, 1991 Board Order that established the Commission must be approved by the Board.

B. Notice of proposed By-Law amendments shall be presented in writing at a regular meeting of the Commission for discussion. The Commission shall vote on the proposed amendments at the next regular meeting of the Commission. The agenda for the meeting at which the proposed amendments are to be voted upon shall contain an item entitled "Proposed By-Law Amendment."

XV. PUBLIC ACCESS TO COMMISSION RECORDS

The Commission shall make available to the general public all records as required by law.

Adopted by the Contra Costa County Library Commission on September 26, 1991.
Amended by the Contra Costa County Library Commission on September 24, 1992.
Amended by the Contra Costa County Library Commission on January 28, 1999.
Amended by the Contra Costa County Library Commission on January 26, 2012.